

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE:
STACEY WIGENT

Case No. 22-11394-mdc
Chapter 13

U.S. Bank National Association, not in its
individual capacity but solely as Trustee for RMTP
Trust, Series 2021BKM-TT-V,
Movant

vs.

STACEY WIGENT,
Debtor

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

U.S. Bank National Association, not in its individual capacity but solely as Trustee for RMTP Trust, Series 2021BKM-TT-V ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 2), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on May 31, 2022.
2. Movant holds a security interest in the Debtor's real property located at 506 Sylvan Way, Aldan, PA 19018 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 2010000191 in Official Records of Delaware County, Pennsylvania. Said Mortgage secures a Note in the amount of \$162,011.00.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on May 31, 2022 (Doc 2).
4. The Plan states in Part 4(b) that Movant will receive distribution from the Chapter

13 Trustee in the amount of \$36,000.00 on its pre-petition arrears.

5. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due Movant is \$37,633.19. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

6. Movant objects to any plan which proposes to pay it anything less than \$37,633.19 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matt Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection To Confirmation Of Debtor's Chapter 13 Plan has been electronically served or mailed, postage prepaid on this day to the following:

STACEY WIGENT
506 SYLVAN WAY
ALDAN, PA 19018-3734

Brad J. Sadek, Debtor's Attorney
1315 Walnut Street, Suite 502
Philadelphia, PA 19107

Kenneth E. West, Bankruptcy Trustee
Office of the Chapter 13 Standing Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

June 15, 2022

/s/Andrew Spivack

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